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PATENT

Docket No. 500862001520

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Assistant Commissioner for Patents, Washington, D.C. 20231, on **July 9, 2002**

*Lilia Olsen*  
Lilia Olsen

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the application of:

Dominique P. BRIDON, et al.

Serial No.: 09/623,533

Filing Date: September 5, 2000

For: LONG LASTING FUSION PEPTIDE  
INHIBITORS OF VIRAL INFECTION

Examiner: J. Parkin

Group Art Unit: 1648

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**RESPONSE TO OFFICE ACTION WITH  
RESTRICTION REQUIREMENT MAILED June 14, 2002, PAPER 9**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

This is in response to the Office Action with restriction requirement dated June 14, 2002, Paper 9, for which a response is due on July 14, 2002. This response is therefore timely.

Applicants respectively traverse the present restriction requirement. The common technical feature for all the groups of claims is the coupling of a reactive group to a peptide having anti-viral activity thereby allowing the modified peptide to covalently bond to a blood component.

Applicants respectively point out that the issue of a single inventive concept under PCT Rule 13.1 and Rule 13.2 was never brought up during examination of the claims in the PCT

application corresponding to the present application, even though the claims of both applications were of similar scope.

As such, Applicants respectfully request that the Examiner reconsider and withdraw the restriction requirement.

Applicants hereby elect **Group 1 (claims 1 - 7 and 19 - 21** directed to anti-HIV peptides), with traverse. And within the HIV peptides, Applicants elect peptide DP 178, SEQ ID NO.:1.

Applicants expressly reserve his/her right under 35 U.S.C. § 121 to file a divisional application directed to the nonelected subject matter during the pendency of this application, or an application claiming priority from this application.

Applicants request examination of the elected subject matter on the merits.

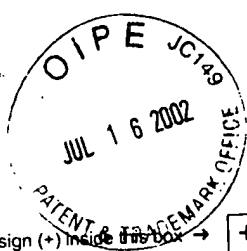
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Dated: July 9, 2002

Respectfully submitted,

By: Michael R. Ward

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**TRANSMITTAL  
FORM**

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Total Number Of Pages In This Submission

3

Application Number

09/623,533

Filing Date

September 5, 2000

First Named Inventor

Dominique P. BRIDON, et al.

Group Art Unit

1648

Examiner Name

J. Parkin

Attorney Docket No.

500862001520

**ENCLOSURES (check all that apply)**☐ Fee Transmittal Form☐ Fee Attached☒ **RESPONSE TO RESTRICTION  
REQUIREMENT MAILED JUNE 14,  
2002, PAPER 9 - 2 pgs**☐ After Final☐ Affidavits/declarations☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/  
Incomplete Application☐ Response to Missing Parts  
under 37 CFR 1.52 or 1.53☐ Assignment Papers  
(for an Application)☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a  
Provisional Application☐ Power of Attorney, Revocation  
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) \_\_\_\_\_☐ After Allowance Communication to  
Group☐ Appeal Communication to Board of  
Appeals and Interferences☐ Appeal Communication to Group  
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please identify  
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or

Individual Name

MORRISON &amp; FOERSTER LLP

425 Market Street, San Francisco, CA 94105-2842

MICHAEL R. WARD (Reg No. 38,651)

Signature

Michael R. Ward

Date

July 9, 2002

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Lilia Olsen

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